

REMARKS

Claims 1-33 are pending in the application. Claims 1-33 have been rejected, and an objection has been raised for claim 5. Claims 1, 5, 11, 21, 22, 30, and 33 have been amended. Support for these amendments is provided in the original specification on at least page 10 line 29 through page 11 line 3. No new matter has been added.

Rejection of Claims under 35 U.S.C. § 102(e)

Claims 1-3, 7, 8, 9-13, 17-24 and 28-33 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Wang et al., U.S. Patent 6,636,505 (hereinafter “Wang”). Applicants do not concede that Wang anticipates all limitations of independent claims 1, 11, 20, 30, and 33, but claims 1, 5, 11, 21, 22, 30, and 33 have been amended to further prosecution and to further distinguish the claimed invention over Wang.

Amended independent claim 1 now requires the following:

automatically configuring an asset of said broadband communication network to communicate with said personal computer ...

Independent claims 11, 21, 30, and 33 have also been amended to include a substantially similar limitation.

As shown in Fig. 2, Wang teaches that, in response to an order for service, an engineer at the central office configures the network to provide the service. Then the modem associated with the subscriber's PC can be automatically configured. Wang does not teach *automatically* configuring an asset of the broadband communication network in response to a request for service from a specific subscriber. Applicants believe that Wang does not teach automation of network assets, but rather is focused solely on configuration of the modem itself. As a result, independent claim 1 and its dependent

claims 2-10, independent claim 11 and its dependent claims 12-20, independent claim 21 and its dependent claims 22-29, independent claim 30 and its dependent claims 31-32, and independent claim 33 are allowable for at least the foregoing reason.

Rejection of Claims under 35 U.S.C. § 103(a)

Claims 4-6, 8, 14-16 and 25-27 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Wang et al., U.S. Patent 6,636,505, in view of Bahlman, U.S. Patent 6,684,242. Each of claims 4-6, 8, 14-16, and 25-27 is a dependent claim, depending from one of amended independent claims 1, 11, 21, or 30. As explained above, amended independent claims 1, 11, 21, and 30 are allowable over the Wang reference, and dependent claims 4-6, 8, 14-16 and 25-27 are allowable for at least the foregoing reasons.

CONCLUSION

In view of the amendments and remarks set forth herein, the application is believed to be in condition for allowance and a notice to that effect is solicited. Nonetheless, should any issues remain that might be subject to resolution through a telephonic interview, the Examiner is invited to telephone the undersigned at 512-439-5086.

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9/20/04
Date of Signature

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